



(Ireland.)

A

B I L L

To provide for the Applotment and Levy of
Grand Jury Cess in certain cases in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WH^{EREAS} an Act was made in the Session of Parliament held in the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, intituled, “An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland:”

Possible.

And whereas difficulties have arisen in the Applotment, Collection and Levy of Grand Jury Cess under the provisions of the said Act in Counties of Cities and Counties of Towns in Ireland;

FOR Remedy thereof, **BE it Enacted**, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT it shall be lawful for the major part of the persons who shall have served at the Summer Assizes of the present year, or who shall serve at any future Assizes, upon the Grand Jury of any county of a city or county of a town, or for the major part of the persons whose names shall have been contained in the Return which shall have been laid before any such Grand Jury by the Secretary thereof, and out of which such Grand Jury shall have made the List of Cess-payers to be associated with the Justices at the Presentment Sessions to be holden for such county of a city or county of a town, to present to the Lord Lieutenant and Privy

1.
Major part of Grand Juries of County of a City or County of a Town, or of Cess-payers return to Grand Jury by the Collector of Grand Jury Cess, may recommend the Lord Lieutenant and Council,

Council

praying that
Grand Jury
Cess may be
ordered to be
apportioned
under this
Act.

Council a Memorial praying that Grand Jury Cess may be ordered to be apportioned and levied under this Act, in such county of a city or county of a town; and thereupon it shall be lawful for the Lord Lieutenant and Privy Council to inquire into the circumstances under which Grand Jury Cess shall have been apportioned, collected and levied in such county of a city or county of a town, and whether a rate has been made, or is likely soon to be completed, under the Act passed in the second year of Her present MAJESTY, intituled, "An Act for the Relief of the destitute Poor in Ireland," and to receive any objections that may be made to the prayer of such Memorial, and to examine witnesses on oath touching the matter of such inquiry; and the Lord Lieutenant and Privy Council, in case it shall appear to them, at any time after such Memorial shall be presented, and before the prayer thereof shall be refused, that a rate or rates under the said last-mentioned Act shall have been made, and that such rate or rates extend over the entire of such county of a city or county of a town, and in case it shall otherwise appear to the said Lord Lieutenant and Privy Council expedient so to do, shall order, that after a day to be named in such order, Grand Jury Cess shall be apportioned, collected and levied in such county of a city or county of a town, under the provisions of this Act, and the same shall be so apportioned, collected and levied accordingly.

2.

Treasurer to
obtain copy of
Rate from
Guardians of
the Poor of
the Union.

And be it Enacted, That to enable the Treasurer of such county to apportion such Grand Jury Cess as hereinafter mentioned, the Guardians of the Poor of every Union, any part of which shall be situate within such county of a city or county of a town, shall, upon the request in writing of such Treasurer, cause to be made out and delivered to him, with all convenient speed after such request shall be made to them, or to the Clerk of such Guardians, a true copy of the rate then last made for such Union under the said Act for the relief of the destitute poor, or so much thereof as shall relate to the said county of a city or county of a town, or any part or parts thereof situate within such union; and shall specify, in writing, to such Treasurer, the amount of the expense of making out the same, and such Treasurer shall pay to such Guardians the amount so specified out of the public monies in his hands, and shall be allowed such payment in his account with the Grand Jury of such county of a city or county of a town.

3.

Treasurer to
make Apportion-
ment within
Fourteen
Days after the
day named in
the Order of
the Lord
Lieutenant
and Privy
Council.

And be it Enacted, That within Fourteen Days after the Treasurer of such county of a city or county of a town shall receive from the Guardians of the Poor of every Union, any part of which shall be situate within such county of a city or county of a town, such copy as aforesaid of such rate, or such part thereof as aforesaid, such Treasurer shall apportion upon every tenement and portion of land in respect

respect of which any Grand Jury Cess shall be chargeable within such county of a city or county of a town, the proportion of the Grand Jury Cess, to be raised in pursuance of the presentments made at the then last Assizes for such county of a city or county of a town, which shall be chargeable in respect of each such tenement and portion of land, and shall so applot the same, according to the valuation of each such tenement and portion of land as contained in the rate which shall have been then last made under the said Act for the relief of the destitute poor in Ireland; and shall, within *One Week* after such applotment shall be made, cause to be published in some newspaper circulating in such county of a city or county of a town, and cause to be posted at the usual places for posting Grand Jury notices in such county of a city or county of a town, a notice, stating that such applotment has been made, and that the same shall remain at a place to be specified in such notice, open for the inspection of all occupiers of any lands or tenements within such county of a city or county of a town, at all reasonable times, for the space of *Twenty-one Days* from the date of such notice; and the said Treasurer shall keep the same at some convenient place, to be so specified in such notice, and shall allow all such occupiers applying for that purpose to inspect the same, at all reasonable times during the said space of *Fourteen Days*, and to take extracts therefrom, without fee or charge; and shall give copies or extracts of or from the said applotment to any person applying for the same, upon being paid a reasonable sum for such copies or extracts, not exceeding the sum of *Three-pence* for every hundred names contained in each such copy; and if such Treasurer shall wilfully neglect or refuse to permit any such occupier to inspect such applotment, or to make any extract thereof, he shall, on conviction thereof before any *Two Justices of the Peace*, forfeit and pay for every such offence such sum, not exceeding *Five Pounds*, as the Justices shall think meet.

And be it Enacted, That with all convenient speed after the expiration of *Our Month* from the making of such applotment, such Treasurer shall issue his warrants directed to the several persons who, under the provision of the said first-recited Act, shall be the Collectors for levying and collecting the sums to be raised for Grand Jury Cess off such county of a city or county of a town, and shall amend such warrants, or issue an amended warrant or warrants, as herein-after-mentioned; and in the said respective warrants shall be specified the proportion of the said Grand Jury Cess which shall be so payable in respect of each tenement or portion of land, chargeable with Grand Jury Cess, and for which such person shall be a Collector, together with the name of the occupier or occupiers thereof, as such name or names shall appear upon such rate made under the said Act for the relief of the destitute poor in Ireland; and every person duly authorized

4.
Treasurer to
issue his
Warrants to
Collectors of
Grand Jury
Cess.

rized to collect and levy Grand Jury Cess in such county of a city or county of a town, as soon as he shall have received any such warrant, shall collect and levy the same according to such warrant; and all the sums specified in such warrant shall and may be collected, levied, sued for and recovered in like manner as any Grand Jury Cess may, or might be collected, levied, sued for or recovered under the said first-recited Act, and by all the ways and means provided by the said first-recited Act for the levy or collection or enforcement of Grand Jury Cess; and all the provisions of the said first-recited Act, with reference to such collection, levy or enforcement, shall apply to all sums so specified in such warrant, and all arrears thereof, as if the same were hereby specially re-enacted, or as if the said warrant were an applotment duly made in pursuance of the said last-mentioned Act; and the several sums specified in such warrant as such proportion as aforesaid shall be a charge upon the lands and premises respectively mentioned in such warrant, and shall be paid and payable by the person or persons occupying the premises respectively at the time such cess is levied thereon, although such person or persons did not occupy the same at the time such cess was imposed, and when the sum payable by any person or persons does not exceed *Fifty Pounds*, may be sued for by civil bill in the name of the Collector before the Assistant Barrister having jurisdiction to hear and determine causes by civil bill in the county of the city or county of the town in which the person liable to pay the sum resides.

5.
*Provision for
 exemption of
 certain Tenements
 in the
 County of the
 City of Cork.*
*30 Geo. 3, c.
 82.*

AND whereas an Act was passed in the fifty-third year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the more equal Assessment of Money presented to be raised by the Grand Jury of the County of the City of Cork, and for a new Valuation of the said City, and Surrej of the Liberties thereof, and for other purposes relative to Grand Juries:" AND whereas it has been held that the said Act is repealed by the said above-recited Act of the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, so far as relates to the exemption of certain tenements from Grand Jury Cess, and much public inconvenience has resulted therefrom in the said county of the city of Cork, as regards the collection of Grand Jury Cess therein; BE it therefore Enacted, That in the county of the city of Cork, the Treasurer shall not include in any such warrant, nor shall there be included in any applotment of Grand Jury Cess which may hereafter be made in the said county of the city of Cork, any enbim or house which, in such rate made under the said Act for the relief of the destitute poor in Ireland, shall appear to be valued under the yearly value of *Five Pounds*; nor any tenement or portion of land while it shall remain waste and untenanted; or any house let in separate apartments to poor families.

And

And be it Enacted, That in the county of the city of Cork, the Treasurer shall, in the making of such applotment, applot *Two-thirds* of the entire sum to be raised off such county of the city of Cork upon the city of Cork and the suburbs thereof, and *One-third* thereof upon the liberties of the said city of Cork, as respectively described in the said last mentioned Act.

6.
In the County of the City of Cork, Grand Jury Case to be applotted in certain proportion upon the city and suburbs and the liberties.

And be it Enacted, That if any person or persons shall find himself or themselves aggrieved by any applotment made under this Act, or shall have any material objection to any person or persons being put in or left out of such applotment, or to the sum charged on any person therein, it shall be lawful for such person or persons to appeal to any sessions of the peace to be held for the county, county of a city, or county of a town, in and for which such applotment shall have been made, within *One calendar Month* next after the date of such notice so to be published by such Treasurer, stating that such applotment has been made, or if such sessions shall be held before the expiration of *One calendar Month* next after the date of such notice, then such appeal shall be made to the next following sessions.

7.
Appeal to the Sessions of the Peace against Applotments to be within One calendar Month after cause of complaint.

And be it Enacted, That the Justices before whom any appeal shall be brought are hereby empowered to hear and finally determine the matter of such appeal, and to make such order therein as to them shall seem meet, which order shall be final and conclusive upon all parties; and in case of any appeal against any applotment as aforesaid, to order the name of any person interested or concerned in the event of such appeal, and having had notice thereof as herein provided, to be inserted in such applotment, and to be applotted at such sum or sums of money, or to order the name of any such person to be struck out of such applotment, or the sum or sums at which any such person is applotted therein to be altered, as the said Justices shall think right, and such Justices, or some proper officer of the Court, shall forthwith add to or alter the applotment accordingly; and it shall be lawful for such Justices to order that any warrant of such Treasurer shall be amended, or that a new warrant shall be issued, according to such directions as such Justices shall give in that behalf, and such warrant shall be amended, or such new warrant shall be issued by such Treasurer accordingly; and such amended or new warrant shall, as to all tenements and portions of land in respect of which the amount chargeable according to such amended or new warrant shall not have been then paid or levied, or so far as any sums therein mentioned or any part thereof shall be unpaid, have the force and effect of any warrant issued under this Act as aforesaid: Provided always, That the Justices to whom such appeal shall be made shall not examine or inquire into any other cause or ground of appeal than such as is stated and specified in the notice of appeal, nor alter any such rate with

8.
Power to determine Appeal, or amend Applotment, or quash the same, and order a new Applotment.

respect to other persons or matter than are mentioned and specified in the notice of appeal; but if upon an appeal from the whole of any applotment it shall be found necessary to quash or set aside the same, then the said Justices shall quash the same, and shall in that case order the Treasurer to make a new applotment, and he is hereby 5 required to make the same accordingly.

9.
If Applotment
decreased,
amount paid
to be re-
turned.

And be it Enacted, That if, upon the hearing of any appeal from any applotment made under this Act the Justices shall order the name of any person to be struck out of such applotment, or the sum or sums applotted on any person to be decreased or lowered, and if it shall 10 be made appear to the Justices that such person hath previously to the hearing of such appeal paid any sum or sums of money in consequence of such applotment which he ought not to have been charged with, then and in every such case the said Justices shall order all and every such sum and sums of money to be repaid by the 15 said Treasurer, together with all reasonable costs, charges and expenses occasioned by such person having been required to pay the same; and the amount so to be repaid by such Treasurer shall be allowed him in his account with the Grand Jury of such county of a city or county of a town; and it shall be in the discretion of such Grand 20 Jury to allow such Treasurer all or any of such costs, charges and expenses which shall be so paid by him to such person so appealing as aforesaid.

10.
Fourteen
Days' notice
in writing to
be given of
appeal.

And be it Enacted, That the person or persons so appealing shall give, or cause to be given, at least Fourteen Days' notice in writing 25 of his or their intention of appealing as aforesaid, and of the matter or cause thereof, to the Treasurer, or the Respondent or Respondents; and the Justices to whom such appeal shall be made shall not examine or inquire into any other cause or ground of appeal than such as is stated and specified in the notice of appeal; and if any person or 30 persons shall appeal against an applotment because any other person is applotted or omitted therein, or because any other person is rated therein at any greater or less sum than his due proportion of such Grand Jury Cess, or for any other cause that shall require any alteration to be made in such applotments with respect to any other person, 35 then and in every such case the person or persons so appealing shall give such notice of appeal as aforesaid, not only to the Treasurer, but also to every other person so interested or concerned in the event of such appeal, and every such other person shall, if he so desire, be heard upon such appeal. 40

11.
To be payable
and levied as
if no appeal
had been
made

Provided always, and be it Enacted, That notwithstanding any such appeal, or notice thereof, every such proportion so specified in such warrant shall be payable, and shall be levied, as if no appeal had been made, until such warrant shall be actually quashed or amended.

And

And be it Enacted, That within *Five Days* after notice given of appeal, the person or persons appealing shall enter into a recognizance before some Justice of the Peace, with sufficient securities conditioned to try such appeal at the then next sessions of the peace to be held for such county of a city or county of a town as aforesaid, and to abide the order of and pay such costs as shall be awarded by the Justices at such sessions.

12.
Recognizance to be entered into to try the Appeal.

And be it Enacted, That such Justices, upon hearing and finally determining the matter of any appeal, shall and may, according to their discretion, award such costs to the party appealing or appealed against as they shall think proper, and their determination in or concerning the premises shall be conclusive and binding on all parties to all intents and purposes whatsoever; and every such order for costs shall have the force of a decree of any Assistant Barrister upon a civil bill, and shall be enforced, and the amount specified in such order shall be levied, accordingly.

13.
Costs may be awarded.

AND whereas by the said first-recited Act provision is made for the choosing of applotters by the landholders and inhabitants of the manor, parish or other denomination of land contained in the Treasurer's warrant for the applotting the Grand Jury Cess to be levied thereon; and by said Act it is enacted, that "the persons so chosen shall, within *Thirty Days* from the time they shall be so chosen, applot the sum so to be levied upon such manor, parish or denomination, fairly and justly, according to the relative annual value of the several subdivisions of the lands and tenements therein contained, stating, as accurately as they can, the name of the occupier of each portion of such lands, and shall make oath, before any Justice of the Peace for such county, that they have made the said applotment justly, according to the best of their skill, without favour, affection or malice, the Jurat of which oath shall be endorsed on the applotment; and such applotters shall deliver such applotment, so verified upon oath, to the person empowered to collect such Grand Jury Cess, under the penalty of forfeiting, for every day they shall omit to deliver the same after the said *Thirty Days*, the sum of *Ten Shillings*, to be recovered by civil bill by any person who shall sue for the same;" and the collector, on receiving such full and sufficient applotment, is by said Act required and authorized "to levy the said money according thereto; and in case no full and sufficient applotment shall be returned within *Thirty-six Days* after the time fixed for the appointment of the applotters," it is by said Act enacted, that "then in such case it shall be lawful for such Collector to levy the full sum required by the Treasurer's warrant off such manor, parish or denomination, according to as to the like proportions as

14.
Any Owner, Holder or Occupier liable to Grand Jury Cess may make application to the Court of Queen's Bench, or any Judge of that Court, before 1 January 1840, shewing that difficulties exist in the collection of Grand Jury Cess, or that doubts exist respecting its collection or propriety, or the liability of the Occupiers of any Lands or Tenements thereto.

the sum levied under the last previous applotment of such manor, parish or denomination, or according to the rate or applotment pursuant to which it was paid or levied:" AND whereas in some places it has happened that applotments have been made not in conformity with said recited enactments, and difficulties have arisen in the collection of Grand Jury Cess by reason thereof, and by reason of doubts entertained as to what is the last legal applotment according to which Grand Jury Cess ought to be collected, and by reason of informalities in the proceedings for such applotment; and it is expedient to provide for determining, without delay, in what manner Grand Jury Cess and arrears thereof shall be collected, where any such difficulties exist in any county of a city or county of a town, with respect to which no such order of the Lord Lieutenant and Privy Council shall be made as aforesaid; and also to provide as hereinafter mentioned a remedy for the invalidity of applotments to be made by Treasurers as aforesaid in any county of a city or county of a town with respect to which such order shall be made; BE it therefore Enacted, That it shall be lawful for any person holding, occupying or owning any land or tenement liable to Grand Jury Cess in any county of a city or county of a town, or for the Attorney-general of Ireland, if he shall so think fit, to make application to the Court of Queen's Bench in Ireland, or any Judge thereof, at any time, whether in or out of term, informing the Court or Judge, by affidavit, that no applotters have been appointed in obedience to any warrant or notice issued by any Treasurer or Collector of Grand Jury Cess, or that no applotment of such cess has been made by applotters appointed for that purpose, or that no applotment of such cess has been made by the Treasurer of such county of a city or county of a town under this Act, or that difficulties exist in, or that doubts exist respecting, the collection or proportions of Grand Jury Cess, or respecting the liability thereto of any occupiers of lands or tenements in any such county of a city or county of a town, or in any manor, parish or denomination of land therein, by reason of defect in any applotment of Grand Jury Cess, or by reason of doubts respecting the validity or fairness and justice of any such applotment, or by reason of some informality or defect in some proceeding in relation to any such applotment; and thereupon it shall be lawful for such Court or Judge to make an order, that such applotment, where any exists, and any other applotment, and any presentments, Treasurer's warrants, notices or other document, shall be brought before such Court or Judge for inspection, at a time to be named in such order, and to direct such order to such person, and to direct the same to be served or published in such manner as such Court or Judge shall deem fit, and upon inspection of such applotment, warrant, presentment or other document, or upon such other evidence as shall appear satisfactory

Jurisdiction of Court or Judge on such application.

to such Court or Judge, to make such order as to such Court or Judge shall seem meet for making any such applotment where none has been already made, or for quashing, confirming or altering any applotment of Grand Jury Cess, or any part thereof; and for directing a new applotment to be made of or for Grand Jury Cess or any portion thereof by such Treasurer in any county of a city or county of a town, with respect to which the Lord Lieutenant and Privy Council shall have made such order as aforesaid, or, in any county of a city or county of a town with respect to which such order shall not have been made, for directing such applotment to be made in or for any manor, parish or denomination of land in such county of a city or county of a town, by any Two persons to be named in such order or any other order of such Court or Judge, or to direct Two applotters for that purpose to be chosen, at such time and in such manner as to such Court or Judge shall seem fit; and to make such order as such Court or Judge shall deem fit touching the proceedings of any such applotters; and it shall be lawful for such Court or Judge to direct that such applotters shall, separately and by distinct applotments, applot upon such manor, parish or denomination of lands the amount inserted in any or every such warrant or warrants of the Treasurer of such county, not theretofore already paid or levied, as such Court or Judge shall deem necessary or just, in order to ascertain what ought to be the proportions payable according to such warrant, in respect of the several and respective subdivisions of land within such manor, parish or denomination, in case a valid applotment had been made of the sum respectively so inserted in such warrant.

Court or Judge may quash, confirm or alter Applotment, or direct a new applotment.

And be it Enacted, That it shall be lawful for such Court or Judge, if they or he shall so deem fit, to order that the costs of such application, or any portion thereof, shall be taxed, and that the amount of such costs, when taxed, shall be added to the sum to be applotted under such order of such Court or Judge, or shall be paid by the Treasurer of such county to such person at such time as shall be specified in such order; and in case such costs shall be so directed to be paid by such Treasurer, he shall pay the same as directed by such order, and the amount thereof shall be added to the sum to be inserted in the next Treasurer's warrant, to be levied off such county of a city, county of a town, manor, parish or other denomination, or such part thereof, as such Court or Judge shall order; and it shall also be lawful for such Court or Judge, in case they or he shall deem such application or the resistance thereto to be made without just and reasonable cause, or to be in any part thereof vexatiously conducted, to order any costs of making or resisting any such application, or any portion of such costs, to be paid by or to any

15.
Jurisdiction
as to Costs.

owner, occupier or holder of land who shall be a party making or resisting such application.

16.

Application must be with consent of at least Ten Persons liable to Grand Jury Cess.

Provided always, and be it Enacted, That no such application shall be made or entertained at the instance of any owner, occupier or holder of land, unless consent thereto in writing shall be produced before such Court or Judge, signed by at least Ten persons owning, occupying or holding lands or tenements within such county of a city or county of a town, liable to Grand Jury Cess therein, which person shall be deemed parties to such application jointly with the person making the same, and shall be liable to costs as aforesaid accordingly, in case the Court or Judge shall award such costs against them or any of them.

17.

Ten Days' Notice to be given of applications.

Provided always, and be it Enacted, That before such order shall be made for confirming, altering or making such applotment, public notice of such application Ten Days before the making of the same shall be posted at or near the court-house of a city or county of a town in which the Assizes for such county of a city or county of a town are usually holden, and shall be published in one impression or edition of some newspaper circulating in such county of a city or county of a town; and notice also shall be served on some Five or more persons liable to Grand Jury Cess in such county of a city or county of a town, manor, parish or denomination, in respect of which or of any defect in any applotment therein, or in respect of Grand Jury Cess therein, such application shall be made; and it shall be lawful for any person owning, holding or occupying any land or tenement liable to Grand Jury Cess in such county of a city or county of a town, manor, parish or denomination, to appear before such Court or Judge and resist such application.

18.

Applotters shall applot within Thirty Days of their appointment, or within such shorter period as Court or Judge shall order, according to the relative value of the subdivisions of Land, and shall verify on oath the justness of the Applotment.

And be it Enacted, That the applotters appointed by virtue of this Act, or of any order made under or by virtue of this Act, shall, within Thirty Days from the time when they shall be so appointed or chosen, or within such shorter time as shall be specified in any order of such Court or Judge, applot the sum or sums which in any and every Treasurer's warrant specified in any such order shall have been inserted as the portion of Grand Jury Cess which the manor, parish or denomination was to pay, for which such applotters shall be so chosen or appointed; and such applotters shall so separately applot the same, fairly and justly, according to the relative annual value of the several subdivisions of the lands and tenements contained in such manor, parish or denomination, stating as accurately as they can the name of the person who occupied each portion of such lands at the time when such warrant was issued, and the person who shall occupy the same at the time of making such applotment, and shall make oath before any Justice of the Peace for such county that

that they have made the said applotment justly, according to the best of their skill, without favour, affection or malice, and that the contents thereof are, as they believe, true, the jurat of which oath shall be indorsed on such applotment; and such applotters shall return such applotment to such Court or Judge, or the Clerk of the Rules of such Court, within *Thirty Days* after they shall be so chosen or appointed, or within such shorter time as shall be specified in such order; and such Court or Judge shall have such power to confirm, alter or quash such applotment, and to order a new applotment, as is hereby given in the case of any defective applotment.

And be it Enacted, That in case the Court or Judge shall confirm or amend any applotment to be made under or in pursuance of any order made by virtue of this Act, it shall be lawful for such Court or Judge to direct the same to be delivered to the person empowered to collect Grand Jury Cess, or arrears thereof, for or in such county of a city, county of a town, manor, parish or denomination, or to such other person as such Court or Judge shall order, and the same shall be so delivered accordingly; and such person shall collect all arrears of Grand Jury Cess remaining unpaid in respect of the county of a city, county of a town, manor, parish or denomination of land for which such applotment shall be made, according to the proportions specified in such applotment, giving credit for any sums paid by the occupier of any subdivision of such lands, or paid in respect of any such subdivision, and shall pay the amount so collected to the Treasurer of such county; and such Grand Jury Cess, and all arrears thereof, shall be collected and levied accordingly by all the ways and means provided by said first-recited Act for the levy or collection or enforcement of Grand Jury Cess; and all the provisions of said first-recited Act, with reference to such collection, levy or enforcement, shall apply to such cess or arrears thereof (credit being given for such payments as aforesaid), and to such applotment, as if the same were hereby specially enacted, or if such applotment had been in due time duly made under said first-recited Act.

And be it Enacted, That for the purpose of making such applotment, the applotters chosen or appointed in pursuance of any such order shall have full power to enter into and upon, and to inspect and value all such lands and tenements as they or any of them shall deem it necessary or expedient to inspect, for, in or about the making of any such applotment; and in case any person shall hinder or attempt to hinder any such applotter from entering into or upon, or remaining upon any such lands or tenements for the purposes aforesaid, such person, if convicted thereof before any Justice of the Peace for such county, shall for every such offence forfeit and pay the sum of Five Pounds, to be recovered before any Justice

19.
Applotment to be given to Collector, and Arrears to be levied according to the proportions in the Applotment, credit being given for payments already made.

20.
Power to Applotters to enter Lands for the purpose of valuing.

Penalty for obstructing them.

of the Peace for such county, and to be levied by all the ways and means given by said first-recited Act for the levy or recovery of any fine or forfeiture thereby enacted or imposed.

21.
Any Applotment altered, or any new Applotment made, in pursuance of this Act, to continue in force until a further Applotment be made under 6 & 7 Will. 4, c. 116, or any Act amending that Act; and Grand Jury Cess to be levied accordingly.

And be it Enacted, That any applotment confirmed, altered or made in pursuance of any such order, shall be deemed to be, to all intents and purposes, an applotment duly made in pursuance of said recited Act; and Grand Jury Cess, and all arrears thereof (credit being given as aforesaid), shall be and shall continue to be levied thereunder, until a new applotment shall be made in pursuance of said first-recited Act, or any Act or Acts amending said recited Act, or of this Act.

22.
Court or Judge empowered to order payment to Applotters not exceeding Ten Shillings per day.

And be it Enacted, That it shall be lawful for such Court or Judge, if they or he shall think fit, to order payment to every such person as shall act as applotter under or by virtue of this Act, of such reasonable sum for his expenses and loss of time as to such Court or Judge shall seem fit, not exceeding in the whole *Ten Shillings* for every day during which such person shall be occupied in actual duty; and the amount which shall be so ordered shall be paid to such person or his representatives by the Treasurer of the county of the city or county of the town in which such person shall so act, and shall be allowed in such Treasurer's account accordingly, and shall be added in the next Treasurer's warrant to the sum to be levied off the manor, parish or denomination for which such person shall have so acted as applotter.

23.
Court or Judge empowered to enforce Orders, and to call and examine Witnesses.

And be it Enacted, That in case any person shall disobey any order of such Court or Judge made by them or him, when acting under or in furtherance of the provisions of this Act, it shall be lawful for such Court or Judge to order or issue an attachment against such person, or to fine such person such reasonable sum as such Court or Judge shall deem fit; and such Court or Judge, in carrying into effect the provisions of this Act, shall have power to call before them or him, and examine, *viva voce*, such person as such Court or Judge shall deem it necessary or proper to examine; and it shall be lawful for such Court to adjudicate or act in the matter of any such application, or in respect of any proceeding consequent upon or relating to the same, although such application may have been made to a single Judge, and for any Judge of such Court so to adjudicate or act, although such application may have been made to another Judge of said Court.

Court to adjudicate, though application made to single Judge; and any Judge to act, though application made to another.

24.
Rate-payers and occupiers to be competent Witnesses.

And be it Enacted, That in any action, motion, civil bill, indictment or other proceeding before any Court or person under this Act, or under the said first recited Act of the sixth and seventh years of the reign of King

King WILLIAM the Fourth, for the levy or recovery of any Grand Jury Cess, or for the applotting the same, or questioning, confirming or amending any applotment, or for determining the liability of any manor, parish, district or denomination, or of any description of tenements to such cess, or for any other purpose relating to Grand Jury Cess, no person rated or liable to be rated to Grand Jury Cess in any county, or owner or occupier of any lands or tenements therein, and not being himself the party actually sued or suing in such proceeding, shall be deemed or taken to be, by reason of his being so rated, or liable to be rated, or such owner or occupier as aforesaid, an incompetent witness for either party; any law, usage or statute to the contrary in anywise notwithstanding.

And be it Enacted, That nothing in this Act contained shall be deemed or taken in anywise to affect or alter all or any of the provisions contained in another Act passed in the sixth and seventh years of the reign of his said late Majesty King WILLIAM the Fourth, intituled, "An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in Ireland, and to incorporate certain detached Portions of Counties and Baronies with those Counties and Baronies respectively, whereto the same may adjoin, or wherein the same are locally situate."

25.
Not to affect
the G & T
W21. 4, c. 24.

And be it Enacted, That in the construction of this Act, every word importing the singular number only shall extend and be applied to several persons or things as well as one person or thing, unless there be something in the subject or context repugnant to such construction respectively.

26.
Interpretation
Clause.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

27.
Act may be
amended or
repealed

Grand Jury Cess.

(Ireland.)

A

B I L L

To provide for the Applement and Levy
of Grand Jury Cess in certain cases in
Ireland.

(Prepared and brought in by
Mr. Solicitor-General for Ireland, and
Lord Viscount Morpeth.)

Ordered, by The House of Commons, to be Printed
9 July 1840.

408.

U nder 2 oz.